

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 27, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA,

Plaintiff,
v.

JOSHUA FISHER,

Defendant.

Case No. 2:22-mj-00445-JAG

CRIMINAL COMPLAINT

I, Special Agent Jared Tomaso, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) October 27, 2022, in the county of Spokane in the Eastern District of Washington, the defendant, JOSHUA FISHER, violated: Title 21 United States Code, Section, 841(a)(1), (b)(1)(A)(viii) - Possession with Intent to Distribute 50 Grams or More of Actual (Pure) Methamphetamine.

This complaint is based on these facts:

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Jared Tomaso, ATF

Printed name and title

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: Dec 27, 2022, 4:46 pm



Judge's signature

Alexander C. Ekstrom, United States Magistrate Judge

Printed name and title

City and state: Yakima, Washington

Assigned AUSA: SAV

County of Investigation: Spokane

In re Affidavit in Support of Criminal Complaint as to Joshua Fisher (No. 2:22-mj-00445-JAG)

State of Washington)

ss

County of Spokane)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jared Tomaso, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint seeking the arrest of Joshua FISHER for violating 21 U.S.C. § 841, distribution of controlled substances.

2. I employed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) as a Special Agent and have been so employed since March 2018. I am currently assigned to the Spokane Field Office. As an ATF Special Agent, my duties include the investigation of violations of federal firearms and controlled substance laws. Prior to my employment with ATF, I was employed for two years as a Deportation Officer for the United States Immigration and Customs Enforcement (ICE), and eight years as a United States Border Patrol agent. I am fluent in the Spanish language (reading and writing). During my law enforcement

career, I have made hundreds of arrests for both state and federal violations. I have participated in hundreds of investigations involving felonious crimes. I have received specialized training at the Federal Law Enforcement Training Center (FLETC) in Artesia, NM, FLETC in Glynco, GA, and the ATF National Academy. I have consulted with Senior Special Agents in the ATF, who have years of experience in working firearms and controlled substance related investigations.

3. The facts set forth below are based upon (1) my own personal observations; (2) reports and information provided to me by other law enforcement agents or government agencies; (3) evidence collected through investigative operations. Because this affidavit is being submitted solely for establishing probable cause to support a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have only set forth facts necessary to support the authorization of the requested arrest warrant and criminal complaint.

INVESTIGATION

4. Starting in October of 2022, I have been involved in an investigation involving Joshua FISHER, Date of Birth (DOB) 02/05/19XX, and his alleged involvement in the sale of methamphetamine, and firearm trafficking. I am aware of and have assisted in multiple controlled purchase operations involving FISHER, and others.

5. On October 27, 2022, multiple ATF agents, including Undercover Agents (UCA)'s, and other law enforcement officers participated in a controlled purchase operation from FISHER. I have consulted with agents who participated in the controlled purchase operation, and I have reviewed portions of audio/video recordings captured during the controlled purchase. From this, I am aware of the following events:

6. During the evening of October 27, 2022, in Spokane Valley, WA, multiple UCAs met FISHER at or near pred-determined meet location (PDL) in Spokane Valley, WA. Prior to the meet, through recorded and preserved communications between UCA and FISHER, FISHER agreed to sell 6 ounces of methamphetamine to the UCA. During the course of the controlled purchase, FISHER entered an ATF Undercover Vehicle (UCV) and sold an ATF UCA approximately 6 ounces of suspected methamphetamine. The controlled purchase was audio and video recorded, and was witnessed by two other UCAs, who were present during the undercover meet. The drugs were placed into evidence and sent to the Drug Enforcement Administration (DEA) lab, where it is currently being analyzed. However, based upon my training and experience and upon inspection of the approximate 6 ounces delivered (approximately 170 grams) it will likely contain more than 50 grams of pure or actual methamphetamine.

7. This investigation is ongoing, and of a somewhat sensitive nature. As

noted, ATF has conducted several other controlled purchase operations from FISHER which involved methamphetamine and firearms over the last several months. During these contacts, that were again recorded and surveilled by law enforcement, FISHER has brandished a firearm on multiple occasions, witnessed by ATF UCAs. FISHER has made multiple statements to an ATF UCA, which have been preserved or recorded, regarding using a firearm to harm others. FISHER recently told the UCA how he “beat up” a female and was “running from the cops.” FISHER has claimed that he is going to flee to Colorado. FISHER has mentioned to the UCA that he is a methamphetamine addict. In some of FISHER’s recent contacts with the UCA, FISHER appears to be increasingly paranoid, and talking more of violence. Due to our (ATF and other law enforcement officers) concern for the safety of the public, I am requesting that an arrest warrant expeditiously be issued for FISHER.

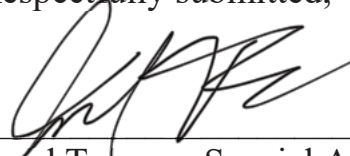
8. Based on the foregoing, I submit that there is probable cause to believe that on October 27, 2022, Joshua Fisher committed the offense of Distribution of 50 grams or more of Actual Methamphetamine, in violation of 21 United States Code Section 841(a)(1), (b)(1)(A)(viii).

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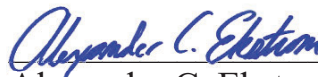
I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Respectfully submitted,



Jared Tomaso, Special Agent
Bureau of Alcohol, Tobacco,
Firearms, & Explosives

Sworn to telephonically and signed electronically on this 27th day of
December, 2022.



Alexander C. Ekstrom
United States Magistrate Judge

